# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

ELIZABETH HORTON	)
	)
Plaintiff,	)
	)
<b>v.</b>	)
	)
DON WILLIAMS, individually	)
and in his capacity as the	)
<b>Manager of National Seating and</b>	) CIVIL ACTION NUMBER:
Mobility, Inc., NATIONAL	) 2:06-cv-526-MHT-TFM
SEATING AND MOBILITY,	)
INC., GERALD SHOCKLEY,	)
individually and in his capacity of	)
a special agent of the Alabama	)
Attorney General's Office,	)
	)
Defendants.	)
	)

# AMENDED ANSWER OF DEFENDANT NATIONAL SEATING AND MOBILITY, INC. TO PLAINTIFF'S AMENDED COMPLAINT

Defendant National Seating and Mobility, Inc., ("NSM") adopts and incorporates its Answer filed on April 23, 2007 and further asserts the following additional defense in answer to Plaintiff's Amended Complaint:

# TWENTIETH DEFENSE

Plaintiff's claims may be barred or limited by the doctrine of afteracquired evidence.

Document 54

## s/Charles A. Stewart, III

Charles A. Stewart III (STE067) Bradley Arant Rose & White LLP The Alabama Center for Commerce 401 Adams Avenue, Suite 780 Montgomery, AL 36104

Telephone: (334) 956-7700 Facsimile: (334) 956-7701

### s/Elizabeth B. Mitchell

Elizabeth B. Mitchell (BRI050) Bradley Arant Rose & White LLP One Federal Place 1819 Fifth Avenue North Birmingham, AL 35203-2104 Telephone: (205) 521-8000

Facsimile: (205) 521-8800

**Attorneys for Defendant National Seating & Mobility,** Inc.

#### **CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

> Deborah M. Nickson Attorney for Petitioner 2820 Fairlane Drive, Suite A-10 Montgomery, Alabama 36116

Dorman Walker Balch & Bingham P.O. Box 78 Montgomery, AL 36101

Jack W. Wallace, Jr. Office of the Attorney General 11 South Union Street Montgomery, AL 36130

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

None.

s/Elizabeth B. Mitchell

Elizabeth B. Mitchell Bradley Arant Rose & White LLP One Federal Place 1819 Fifth Avenue North Birmingham, AL 35203-2104 Telephone: (205) 521-8000

Facsimile: (205) 521-8800